

HAMILTON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 8, 2008

The Hamilton County Board of Commissioners met on Monday, September 8, 2008 in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session in Conference Room 1A at 1:10 p.m. President Altman called the public session to order at 1:50 p.m. and declared a quorum present of Commissioner Christine Altman and Commissioner Steven A. Holt. Commissioner Steven C. Dillinger was absent. The Pledge of Allegiance was recited.

Approval of Minutes

Holt motioned to approve the minutes of August 25, 2008. Altman seconded. Altman requested a correction to the 4-H Fairgrounds topic. The first full paragraph should read “Altman stated she did not think the Commissioners agreed that the security people would act as building representative.” Motion carried unanimously.

Executive Session Memoranda

Holt motioned to approve the Executive Session Memoranda of August 28, 2008 and September 8, 2008. Altman seconded. Motion carried unanimously.

Holt motioned to approve the Executive Session Memoranda of August 29, 2008. Altman seconded. Motion carried unanimously. Holt withdrew his motion and asked to hold approval until Commissioner Dillinger returns. Altman withdrew her second.

Radio Tower

Altman requested a resolution by the Commissioners authorizing the Sheriff to proceed with the radio tower project on the east side of SR 37. The current tower is 400 feet and will remain due to contractual agreements. The new tower will be 649 feet. 911 revenue that we currently have will cover the project costs. Holt motioned to approve the request to relocate the Sheriff’s tower to the east side of SR 37, no contract renewals on the old tower as those expire, and will be funded with E-911 funds. Altman seconded. Motion carried unanimously.

Bid Opening

Small Structure #33010, 246th Street over Sugar Run Creek

Mr. Jim Neal stated when the contract documents for Small Structure #33010 were sent out there was a specification that the bidders had to be pre-qualified in both small structure and drainage items (EE in INDOT’s code) as well as bridges high level water (DA in INDOT’s code). We have two contractors that are not pre-qualified in bridges over high level water. The structure is three sided and 20 feet long. If the structure was one inch shorter the contractors would be qualified to do the project. The Notice to Bidders did not list the pre-qualification requirements. Neal stated his recommendation would be if the Board decided to waive the pre-qualifications all bids could be read today. There is no safety issue. Holt so moved. Altman seconded. Motion carried unanimously.

Howard opened the bids for Small Structure #33010, 246th Street over Sugar Run Creek. Form 96, Non-Collusion Affidavit, Bid Bond, Financial Statement and Receipt of Addendum are included unless otherwise specified. 1) Calumet Asphalt - \$351,152.00. 2) Central Engineering & Construction Associates - \$404,487.60. 3) Duncan Robertson Incorporated - \$448,623.00. 4) Tramco - \$356,363.00. 5) HIS Constructors - \$394,200.00. 6) Trisler Construction - \$283,519.74. Holt motioned to forward the bids to the highway department staff for review and recommendation later today. Altman seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit – Highway Department

Neal stated this bond is for a renewal of the Bond from Panhandle Eastern that is tabled. These bonds are permit bonds if they have to come in to maintain their pipeline. Neal does not know why the first Bond was tabled but recommended accepting the Bond. Holt stated the Bond was tabled due to some disagreement between the Surveyor and Panhandle Eastern on some crossings. Neal stated the only thing this Bond covers is Open Road Cuts. Holt motioned to take it off the table. Holt motioned to accept the Bond from Panhandle Eastern for open road cuts. 1) HCHD #B-07-0018 – Travelers Casualty and Surety Company of America License & Permit Bond #10751818 issued on behalf of Panhandle Eastern Pipe Line Company in the sum of \$10,000 for contract open road cut to perform pipeline maintenance to expire July 3, 2009. Altman seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit – Highway Department

Neal requested the release of Bonds and Letters of Credit for the highway department. 1) HCHD #B-07-0028 – Bond Safeguard Insurance Company Subdivision Bond #5028582 issued on behalf of East Carmel, LLC for The Legacy Master Infrastructure Phase 1, 146th Street Improvement (turn lanes and drainage.). 2) HCHD #B-07-0029 – Bond Safeguard Insurance Company Subdivision Bond #5028581 issued on behalf of East Carmel, LLC for The Legacy Master Infrastructure Phase 1 construction entrance. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Agreements/Supplements

146th Street West

Neal requested approval of Amendment No. 1, HCHD #E-07-0006, with American Structurepoint, Inc. for the West 146th Street project. Holt motioned to approve. Altman seconded. Motion carried unanimously.

96th Street from Mollenkopf Road to Fall Creek Road

Neal requested approval of Supplemental Agreement No. 2, HCHD #E-98-0015, with United Consulting for 96th Street from Mollenkopf Road to Fall Creek Road. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Olio Road Reconstruction

Neal requested approval of Supplemental Agreement No. 4, HCHD #E-01-0006, with United Consulting for reconstruction of Olio Road from 400’ north of 96th Street to 800’ south of Bridge No. 191. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Ditch Road Traffic Study

Neal requested approval of Supplemental Agreement No. 5, HCHD #E-98-0013, with First Group Engineering, Inc. for the traffic study, intersection reconstruction design using roundabouts at three locations on Ditch Road at 96th Street, 106th Street and 116th Street. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Traffic Study Correspondence

Neal requested approval of the list of correspondence concerning investigations on Hamilton County Roads dated September 8, 2008. 1) Nancy Quinn concerning “Hidden Drive” warning sign on Grassy Branch Road in Washington Township. The highway department recommends installation of “Hidden Drive” warning sign south of the driveway and that the trees are further trimmed back and the last section of the fence be removed. 2) John Beery

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concerning “Hidden Drive” warning sign at 146th Street and Kensington Drive in Noblesville Township. Highway recommends installing a W2-2 (Side Street) warning sign east of Kensington for westbound traffic and look further into trimming the trees back to improve the sight distance. 3) Wendy Alexander concerning a “No Outlet” warning sign on Red Bud Lane in Clay Township. Highway recommends installing a “No Outlet” sign. 4) Bill Huff concerning the speed limit on Olio road from the dead end to SR 38 in Wayne Township. Highway recommends rescinding the existing 35 mph speed limit. Recommend Noblesville make a similar change. The new speed limit would be 55 mph per Indiana Code. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Official Actions

Olio Road

Neal requested approval of the official action to repeal the speed limit on Olio Road from SR 238 to SR 38. The road will revert to the no posted rule of 55 mph. Holt motioned to approve. Altman seconded. Motion carried unanimously.

136th Street & Olio Road

Neal requested approval of an official action to change regulatory signs at 136th Street and Olio Road during construction by the Town of Fishers at the adjacent intersection of SR 238 and Olio Road. Fishers will close the intersection and SR 238 traffic will be diverted to 136th Street and Olio Road. This is a temporary condition and once construction allows traffic through the roundabout at SR 238 the original condition of 136th Street stopping for Olio Road is restored. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Riverwalk Project

Neal reported that the Riverwalk project is at 35 percent completion with 75 days left on the project. Neal will be meeting this week with the contractor to try to work out how to get back on schedule. Altman asked if the Riverwalk will be able to open before this winter? Neal stated the north side should be completed, he does not know if the south side will be completed and that is what connects the walk with the parking lot.

Cicero Road Maintenance Assistance

Mr. Brad Davis requested permission to assist the Town of Cicero with some road maintenance. Cicero has outlined the work and has agreed to the costs to be paid to the county. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Surplus Property – Highway Department

Davis requested approval to dispose of highway equipment at the October 18, 2008 county auction. The list will be sent to other county departments to see if they want to exchange or add items to the list. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Altman called a break in the meeting. [2:23]

Altman called the meeting back to order. [2:35]

Dilapidated Structure

Mr. Chuck Kiphart property owner of parcel 10-10-01-01-02-008.000 on River Road is Ms. Joanne Bonnell. There are two (2) single wide mobile homes on the property. Ms. Bonnell has mowed the yard and repaired the door to the one trailer so it is locked. The door to the second trailer is now broken and needs to be repaired. Ms. Bonnell has requested an additional 30 days to secure that trailer. Holt motioned to approve. Altman seconded. Kiphart stated this is in Noblesville’s planning jurisdiction and she would like to put the two trailers together and live on this property. The City of Noblesville has rezoned the property to commercial which does not allow residential. She has spoken to the City about this but they have told her she would have to talk to somebody where the license bureau used to be located. Kiphart will call Noblesville and find out whom she needs to speak with. Motion carried unanimously.

United Way

Ms. Joan Isaac, United Way Area Director of Hamilton County, thanked the Commissioners for their leadership and support of United Way. Isaac stated United Way of Central Indiana mission is to address today’s needs and reduce tomorrow’s. The only way we can continue to do that is by garnering more community support. Isaac believes Hamilton County’s campaign could grow by offering education of the United Way to the Hamilton County employees. Hamilton County currently files by paper form and Isaac recommended changing to E-Pledge. All employee information is confidential and will not be sold. It takes about four weeks to build the site. Each employee would receive an Email invite from the United Way inviting them to participate and pledge to the campaign. E-Pledge will simplify the pledging process. Altman asked if it is all paperless if we go with E-Pledge? Isaac stated yes, campaigns that have gone from paper to E-Pledge have increased participation by at least 10 percent. The key is educating the employees. Holt motioned to request BJ Casali meet with Joan Isaac and bring back a recommendation at the next meeting. Casali stated everything looks like it is available on our payroll site. Altman would like Commissioner Dillinger’s input and is concerned about the privacy. Altman seconded. Motion carried unanimously.

Community Corrections Uniform

Mr. Ralph Watson stated the Community Corrections Officers are changing their uniforms and requested approval of the uniform presented today. Community Corrections are considered public safety officers and as they prepare to move in to their new facility they are trying to take on the concepts of the therapeutic community where they are about behavioral change. The new uniform will be a less authoritarian look. The proposed uniform will be less expensive and is similar to the Sheriff’s uniforms. The department insignia will be on the shirt and pants and a duty belt will be worn. Howard confirmed that by policy these uniforms are prohibited from being worn at any other time, they are the Community Corrections property to be returned upon termination, dismissal and discharge and would be subject to discipline if they wore the uniforms other than to and from work. Watson stated yes. Altman asked that a provision to the uniform policy include the uniform is the property of the county. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Commissioner Committee Reports

Northeast Corridor Selection

Altman stated the date has been set for the selection of the northeast corridor preferred alternative for September 26, 2008 at the Fairgrounds.

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Attorney

Liability Trust Claim

Howard requested approval of a Liability Trust Claim payable to the WestClay Owners Association, Inc. in the amount of \$916.23. The check will be released from his office upon receipt of a blanket release of liability. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Alliance Benefit Group

Ms. Sheena Randall requested approval of an agreement with Alliance Benefit Group to provide Medicare Part D administrative services effective January 1, 2009. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Wellness Event

Randall confirmed that employees will not clock in and out for the Wellness Event scheduled for September 11, 2008. A directive will be sent out to the Elected Officials and Department Heads that they would treat this event the same as the Christmas Luncheon. The employees will provide a recording of the time they are in attendance at the Wellness Event and the entries would be made in Kronos.

Holt asked Randall about the orientation session for the nature hike? Randall stated over 200 people have signed up to walk. A naturalist will be at the Potter's Bridge Trail and Forest Park Trail. The orientation will let the employees know where to park at Potter's Bridge. Riverview will be distributing pedometers to the walkers during the orientation. Altman asked how long is the walk? Randall stated employees will be stopped at the 30 minute marker so they have plenty of time to get to the Fairgrounds. Randall stated the Potter's Bridge trail is approximately ½ mile. Water will be provided to the walkers. Davis asked if the instructions could be sent by E-mail? Randall stated yes, she will send out an E-mail. Davis asked if employees are allowed to wear shorts and tennis shoes to work that day? Randall stated most employees will dress casual, if appropriate for their position and if it is not they need to bring a change of clothes.

Administrative Assistant

EMA Performance Grant

Mr. Fred Swift requested signature of the 2007 Emergency Management Grant in the amount of \$80,784 which reimburses the salaries of the Emergency Management staff.

Surplus Property

Holt motioned to declare the excess chairs as surplus and they be placed in the county auction. Altman seconded. Motion carried unanimously.

Holt motioned that the old copiers and printers be placed in the sale. Altman seconded. Motion carried unanimously.

Noblesville Commons Building

The Commissioners scheduled a Work Session at 1:00 p.m. on Monday, September 22, 2008 in Conference Room 1A to plan the design for the Noblesville Commons Building.

Casali requested approval to proceed with the INDOT permitting to run fiber to the sheriff's tower. Mr. Barbee has suggested not running fiber to the new facility until the construction of the new tower is complete. Altman asked if the tower will have fiber running to it and can we connect from the tower site to the new site? Casali stated yes. Altman asked Casali to coordinate this with the tower consultants.

League of Women Voters

Swift stated the League of Women Voters has requested use of the Commissioners Courtroom on October 15, 2008 for a candidate forum. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Warning Sirens

Swift stated the AIC (Association of Indiana Counties) has told him SEA 334, passed into law, does not include a mandatory provision that the county install warning sirens throughout the county. Senator Kenley has suggested the Commissioners write a letter to him indicating what the county does or does not want in regards to this legislation. Altman asked Swift to provide this information to David Bice. The statutory provisions she saw required the county to plan for sirens and once you plan for sirens you have to implement it in 10 years. If that is not the case either David or AIC needs to be corrected. Swift will present the letter for signature at the next meeting.

Sheriff [3:11]

Sheriff Uniforms

Sheriff Deputy Ryan Horine stated the law enforcement academy requires students to wear a specific uniform that has no patches or logos. This is not the same uniform the recruit is required to wear at the Sheriff's Department. The policy is that these uniforms are turned back into the Sheriff's Department. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Midwest Toxicology Services

Mr. Tim Garner requested approval of an agreement with Midwest Toxicology Services, Inc. for random drug testing. The agreement is subject to funding. Holt motioned to approve. Altman seconded. Altman stated the indemnity is not co-equal. Altman asked if this is the same service used by the entire county? Garner stated it is used by the highway department. Probation and Community Corrections does not use this service. Motion carried unanimously.

Auditor [3:16]

Resolution 09-08-08-1, Cumulative Courthouse Fund Levy

Ms. Kim Rauch requested approval of Resolution 09-08-08-1, setting the 2009 Cumulative Courthouse Fund levy at a level equal to \$475,000 for 2008 pay 2009. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Solid Waste Management District Interlocal Agreement

Rauch requested approval of the Interlocal Agreement with the Hamilton County Solid Waste Management District for operations of the Household Hazardous Waste Center. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit – Drainage Board

Rauch requested approval of the Release of Bonds and Letters of Credit for the drainage board. 1) HCDB-2005-00035 – Bond Safeguard Insurance Company Subdivision Performance Bond No. 5016377 for Village of West Clay Section 10012 storm sewers - \$304,776. 2) HCDB-2005-00036 – Bond Safeguard Insurance Company Subdivision

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Performance Bond No. 5016376 – Village of West Clay Section 10012 erosion control - \$50,400. 3) HCDB-2005-00072 – Safeco Insurance Company of America Subdivision Bond No. 6360510 for Limestone Springs Section 2C storm rework of the Margaret Goodwin Drain - \$185,230. 4) HCDB-2006-00029 – Bond Safeguard Insurance Company Subdivision Performance Bond No. 5020794 for Village of West Clay Section 15001 storm sewers - \$83,571.60. 5) HCDB-2006-00030 – Bond Safeguard Insurance Company Subdivision Performance Bond No. 5020795 for Village of West Clay Section 15001 erosion control - \$24,000. 6) HCDB-2006-00032 – Bond Safeguard Insurance Company Subdivision Performance Bond No. 5020762 – Village of West Clay V02-B storm sewers - \$55,885.20. 7) HCDB – 2006-00033 – Bond Safeguard Insurance Company Subdivision Performance Bond No. 5020763 – Village of West Clay Section V02-B erosion control - \$26,400. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Payroll Claims

Rauch requested approval of Payroll Claims for the period of August 11-24, 2008 paid September 5, 2008. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Vendor Claims

Rauch requested approval of Vendor Claims to be paid September 9, 2008. Rauch requested signature on the Meal Reimbursement Approval Form for the probation department’s claim for food at their retreat. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Bid Award

Small Structure #33010

Neal recommended the bid for Small Structure #33010 (New Bridge No. 78), 246th Street over Sugar Run Creek in White River Township to Trisler Construction. The bid, as read, had some math errors; the correct bid amount is \$284,329.64. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Holt motioned to adjourn the meeting. Altman seconded. Motion carried unanimously.

Commissioner Correspondence

HAND (Hamilton County Area Neighborhood Development Notice of Application
Survey for Proposed Modification to the Noblesville Master Plan
IDEM Notice of Construction Permit Applications:

- 131st Street and Shelborne – Carmel
- Allisonville Place – Fishers
- Avalon of Fishers, Section 5A – Fishers
- Fishers of Avalon, Section 6A – Fishers
- Tanglewood, Section 6 – Fishers

Certificate of Insurance

- Benner Mechanical, Inc.
- PIPE Inc.

Present

- Christine Altman, Commissioner
- Steven A. Holt, Commissioner
- Robin M. Mills, Auditor
- Fred Swift, Administrative Assistant to Commissioners
- Kim Rauch, Administrative Assistant to Auditor
- Michael Howard, Attorney
- Doug Carter, Sheriff
- Brad Davis, Highway Director
- Jim Neal, County Highway Engineer
- Joel Thurman, Highway Project Engineer
- Brandy Wariner, Highway Public Service Representative
- Dave Lucas, Highway Staff Engineer
- Christopher Burt, Highway Engineering Technician
- Tim Knapp, Highway Right-of-Way Manager
- Matt Knight, Highway Bridge Program Engineer
- Faraz Khan, Highway Staff Engineer
- Bob Davis, Highway Superintendent
- Tania Lopez, Indianapolis Star
- Patti Smith, Beam, Longest and Neff
- Becki Wise-Kent, USI
- Floyd Burroughs, FEBA
- Scott Warner, Buildings and Grounds
- Joan Isaac, United Way of Central Indiana
- Joanne E. Bonnell, Unsafe Trailer
- Charles E. Kiphart, Hamilton County Planning
- Sheena Randall, Human Resources
- Ryan Horine, Sheriff’s Department
- Tim Garner, Sheriff’s Department
- Ralph Watson, Community Corrections
- BJ Casali, ISSD

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST

Robin M. Mills, Auditor